

a data rating application residing in the wireless device;
wherein the data rating application is configured to use a metering method to meter the data communication session and a rating method to be used in conjunction with the metering method to determine the charge in connection with the data communication session.

3. (New) The system according to claim 2 wherein the wireless device is a mobile phone.

4. (New) The system according to claim 2 wherein the metering method is selected from a plurality of metering methods.

5. (New) The system according to claim 2 wherein the rating method is selected from a plurality of rating methods.

6. (New) The system according to claim 2 wherein the data rating application is configured to cooperate with an accounting application to update an account relating to the wireless device.

7. (New) The system according to claim 6 wherein the accounting application resides in the wireless device.

8. (New) The system according to claim 6 wherein the accounting application resides at a location external to the wireless device.

9. (New) The system according to claim 2 wherein the data rating application is configured to select the rating method and the metering method upon detecting a set-up event which takes place during the course of setting up the data communication session; and

wherein the set-up event is originated by either the network or the wireless device to indicate that the data communication session is to begin.

10. (New) The system according to claim 2 wherein the data rating application is configured to begin determining the charge in connection with the data communication session using the metering method and the rating method upon detecting a begin event which takes place during the course of the data communication session; and

wherein the begin event is originated by either the network or the wireless device to indicate that the data communication session has begun.

11. (New) The system according to claim 2 wherein the data rating application is configured to end determining the charge in connection with the data communication session using the metering method and the rating method upon detecting an end event which takes place during the course of the data communication session; and

wherein the end event is originated by either the network or the wireless device to indicate that the data communication session has ended.

12. (New) The system according to claim 2 wherein the data rating application resides on a smart card which is attachable to the wireless device.

13. (New) The system according to claim 5 wherein the wireless device includes a plurality of additional applications residing therein; and

wherein the data rating application is configured to select one of the plurality of rating methods based on which one of the plurality of additional applications residing in the wireless device will be using data received by the wireless device during the data communication session.

14. (New) The system according to claim 2 wherein the data rating application is configured to use a rating method based on usage of data received during the data communication session.

15. (New) The system according to claim 14 wherein the data received during the data communication session is a downloaded application; and

wherein the charge is determined based on occurrence or duration of usage of the downloaded application.

16. (New) The system according to claim 5 wherein the data rating application is configured to select one of the plurality of rating methods based on source of data received by the wireless device during the data communication session.

17. (New) The system according to claim 5 wherein the data rating application is configured to select one of the plurality of rating methods based on service level selected for the data communication session.

18. (New) The system according to claim 17 wherein the service level selected relates to speed and/or accuracy of data transmission during the data communication session.

19. (New) The system according to claim 5 wherein the data rating application is configured to select one of the plurality of rating methods based on service level achieved during the data communication session.

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20. (New) The system according to claim 4 wherein the plurality of metering methods includes a metering by connection method; and
wherein the metering by connection method determines the charge in connection with the data communication session based on a connection for the data communication session being established.

21. (New) The system according to claim 4 wherein the plurality of metering methods includes a metering by time method; and
wherein the metering by time method determines the charge in connection with the data communication session based on duration of the data communication session.

22. (New) The system according to claim 4 wherein the plurality of metering methods includes a metering by volume method; and
wherein the metering by volume method determines the charge in connection with the data communication session based on volume of data transmitted and/or received by the wireless device during the data communication session.

23. (New) The system according to claim 22 wherein the metering by volume method further includes metering on a per kilobyte basis, metering on a per packet basis or metering on a predetermined denomination basis.

24. (New) A wireless device for determining a charge in connection with a data communication session, comprising:
a data rating application configured to use a metering method to meter the data communication session and a rating method to be used in conjunction with the

metering method to determine the charge in connection with the data communication session;

wherein the wireless device is configured to communicate with a network

25. (New) The wireless device according to claim 24 wherein the wireless device is a mobile phone.

26. (New) The wireless device according to claim 24 wherein the metering method is selected from a plurality of metering methods.

a⁴ 27. (New) The wireless device according to claim 24 wherein the rating method is selected from a plurality of rating methods.

28. (New) The wireless device according to claim 24 wherein the data rating application is configured to cooperate with an accounting application to update an account relating to the wireless device.

29. (New) The wireless device according to claim 28 wherein the accounting application resides in the wireless device.

30. (New) The wireless device according to claim 28 wherein the accounting application resides at a location external to the wireless device.

31. (New) The wireless device according to claim 24 wherein the data rating application is configured to select the rating method and the metering method upon detecting a set-up event which takes place during the course of setting up the data communication session; and

wherein the set-up event is originated by either the network or the wireless device to indicate that the data communication session is to begin.

32. (New) The wireless device according to claim 24 wherein the data rating application is configured to begin determining the charge in connection with the data communication session using the metering method and the rating method upon detecting a begin event which takes place during the course of the data communication session; and

wherein the begin event is originated by either the network or the wireless device to indicate that the data communication session has begun.

33. (New) The wireless device according to claim 24 wherein the data rating application is configured to end determining the charge in connection with the data communication session using the metering method and the rating method upon detecting an end event which takes place during the course of the data communication session; and

wherein the end event is originated by either the network or the wireless device to indicate that the data communication session has ended.

a4 34. (New) The wireless device according to claim 24 wherein the data rating application resides on a smart card which is attachable to the wireless device.

35. (New) The wireless device according to claim 27 wherein the wireless device includes a plurality of additional applications residing therein; and

wherein the data rating application is configured to select one of the plurality of rating methods based on which one of the plurality of additional applications residing in the wireless device will be using data received by the wireless device during the data communication session.

36. (New) The wireless device according to claim 27 wherein the data rating application is configured to use the rating method based on usage of data received during the data communication session.

37. (New) The wireless device according to claim 36 wherein the data received during the data communication session is a downloaded application; and

wherein the charge is determined based on occurrence or duration of usage of the downloaded application.

38. (New) The wireless device according to claim 27 wherein the data rating application is configured to select one of the plurality of rating methods based on source of data received by the wireless device during the data communication session.

39. (New) The wireless device according to claim 27 wherein the data rating application is configured to select one of the plurality of rating methods based on service level selected for the data communication session.

40. (New) The wireless device according to claim 39 wherein the service level selected relates to speed and/or accuracy of data transmission during the data communication session.

41. (New) The wireless device according to claim 27 wherein the data rating application is configured to select one of the plurality of rating methods based on service level achieved during the data communication session.

a⁴ 42. (New) The wireless device according to claim 26 wherein the plurality of metering methods includes a metering by connection method; and wherein the metering by connection method determines the charge in connection with the data communication session based on a connection for the data communication session being established.

43. (New) The wireless device according to claim 26 wherein the plurality of metering methods includes a metering by time method; and wherein the metering by time method determines the charge in connection with the data communication session based on duration of the data communication session.

44. (New) The wireless device according to claim 26 wherein the plurality of metering methods includes a metering by volume method; and wherein the metering by volume method determines the charge in connection with the data communication session based on volume of data transmitted and/or received by the wireless device during the data communication session.

45. (New) The wireless device according to claim 44 wherein the metering by volume method further includes metering on a per kilobyte basis, metering on a per packet basis or metering on a predetermined denomination basis.

46. (New) A smart card configured to cooperate with a wireless device capable of communicating with a network to determine a charge in connection with a data communication session, comprising:

a data rating application configured to use a metering method to meter the data communication session and a rating method to be used in conjunction with the

metering method to determine the charge in connection with the data communication session; and

an interface configured to allow the smart card to communicate with the wireless device.

47. (New) The smart card according to claim 46 wherein the wireless device is a mobile phone.

48. (New) The smart card according to claim 46 wherein the metering method is selected from a plurality of metering methods.

94 49. (New) The smart card according to claim 46 wherein the rating method is selected from a plurality of rating methods.

50. (New) The smart card according to claim 46 wherein the data rating application is configured to cooperate with an accounting application to update an account relating to the wireless device.

51. (New) The smart card according to claim 50 wherein the accounting application resides in the smart card.

52. (New) The smart card according to claim 50 wherein the accounting application resides at a location external to the smart card.

53. (New) The smart card according to claim 46 wherein the data rating application is configured to select the rating method and the metering method upon detecting a set-up event which takes place during the course of setting up the data communication session; and

wherein the set-up event is originated by either the network or the wireless device to indicate that the data communication session is to begin.

54. (New) The smart card according to claim 46 wherein the data rating application is configured to begin determining the charge in connection with the data communication session using the metering method and the rating method upon detecting a begin event which takes place during the course of the data communication session; and

wherein the begin event is originated by either the network or the wireless device to indicate that the data communication session has begun.

55. (New) The smart card according to claim 46 wherein the data rating application is configured to end determining the charge in connection with the data communication session using the metering method and the rating method upon detecting an end event which takes place during the course of the data communication session; and

wherein the end event is originated by either the network or the wireless device to indicate that the data communication session has ended.

94 56. (New) The smart card according to claim 49 wherein the wireless device and/or the smart card include a plurality of additional applications residing therein; and

wherein the data rating application is configured to select one of the plurality of rating methods based on which one of the plurality of additional applications residing in the wireless device and/or the smart card will be using data received by the wireless device during the data communication session.

57. (New) The smart card according to claim 49 wherein the data rating application is configured to use the rating method based on usage of data received during the data communication session.

58. (New) The smart card according to claim 57 wherein the data received during the data communication session is a downloaded application; and

wherein the charge is determined based on occurrence or duration of usage of the downloaded application.

59. (New) The smart card according to claim 49 wherein the data rating application is configured to select one of the plurality of rating methods based on source of data received by the wireless device during the data communication session.

60. (New) The smart card according to claim 49 wherein the data rating application is configured to select one of the plurality of rating methods based on service level selected for the data communication session.

61. (New) The smart card according to claim 60 wherein the service level selected relates to speed and/or accuracy of data transmission during the data communication session.

62. (New) The smart card according to claim 49 wherein the data rating application is configured to select one of the plurality of rating methods based on service level achieved during the data communication session.

63. (New) The smart card according to claim 48 wherein the plurality of metering methods includes a metering by connection method; and

wherein the metering by connection method determines the charge in connection with the data communication session based on a connection for the data communication session being established.

64. (New) The smart card according to claim 48 wherein the plurality of metering methods includes a metering by time method; and

wherein the metering by time method determines the charge in connection with the data communication session based on duration of the data communication session.

65. (New) The smart card according to claim 48 wherein the plurality of metering methods includes a metering by volume method; and

wherein the metering by volume method determines the charge in connection with the data communication session based on volume of data transmitted and/or received by the wireless device during the data communication session.

66. (New) The smart card according to claim 65 wherein the metering by volume method further includes metering on a per kilobyte basis, metering on a per packet basis or metering on a predetermined denomination basis.

67. (New) A system for determining a charge in connection with a data communication session, comprising:

a wireless device capable of communicating with a network; and
a data rating application residing in the wireless device;

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wherein the data rating application is configured to select a metering method from a plurality of metering methods to meter the data communication session and a rating method from a plurality of rating methods to be used in conjunction with the selected metering method to determine the charge in connection with the data communication session.

68. (New) The system according to claim 67 wherein the wireless device is a mobile phone.

69. (New) The system according to claim 67 wherein the data rating application is configured to cooperate with an accounting application to update an account relating to the wireless device.

70. (New) The system according to claim 69 wherein the accounting application resides in the wireless device.

71. (New) The system according to claim 69 wherein the accounting application resides at a location external to the wireless device.

72. (New) The system according to claim 67 wherein the data rating application is configured to select the rating method and the metering method upon detecting a set-up event which takes place during the course of setting up the data communication session; and

wherein the set-up event is originated by either the network or the wireless device to indicate that the data communication session is to begin.

73. (New) The system according to claim 67 wherein the data rating application is configured to begin determining the charge in connection with the data communication session using the selected metering method and the selected rating method upon detecting a begin event which takes place during the course of the data communication session; and

wherein the begin event is originated by either the network or the wireless device to indicate that the data communication session has begun.

74. (New) The system according to claim 67 wherein the data rating application is configured to end determining the charge in connection with the data

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communication session using the selected metering method and the selected rating method upon detecting an end event which takes place during the course of the data communication session; and

wherein the end event is originated by either the network or the wireless device to indicate that the data communication session has ended.

75. (New) The system according to claim 67 wherein the data rating application resides on a smart card which is attachable to the wireless device.

76. (New) The system according to claim 67 wherein the wireless device includes a plurality of additional applications residing therein; and

wherein the data rating application is configured to select the rating method from the plurality of rating methods based on which one of the plurality of additional applications residing in the wireless device will be using data received by the wireless device during the data communication session.

77. (New) The system according to claim 67 wherein the data rating application is configured to use the selected rating method based on usage of data received during the data communication session.

78. (New) The system according to claim 77 wherein the data received during the data communication session is a downloaded application; and

wherein the charge is determined based on occurrence or duration of usage of the downloaded application.

79. (New) The system according to claim 67 wherein the data rating application is configured to select the rating method from the plurality of rating methods based on source of data received by the wireless device during the data communication session.

80. (New) The system according to claim 67 wherein the data rating application is configured to select the rating method from the plurality of rating methods based on service level selected for the data communication session.

81. (New) The system according to claim 80 wherein the service level selected relates to speed and/or accuracy of data transmission during the data communication session.

82. (New) The system according to claim 67 wherein the data rating application is configured to select the rating method from the plurality of rating methods based on service level achieved during the data communication session.

Q4 83. (New) The system according to claim 67 wherein the plurality of metering methods includes a metering by connection method; and

wherein the metering by connection method determines the charge in connection with the data communication session based on a connection for the data communication session being established.

84. (New) The system according to claim 67 wherein the plurality of metering methods includes a metering by time method; and

wherein the metering by time method determines the charge in connection with the data communication session based on duration of the data communication session.

85. (New) The system according to claim 67 wherein the plurality of metering methods includes a metering by volume method; and

wherein the metering by volume method determines the charge in connection with the data communication session based on volume of data transmitted and/or received by the wireless device during the data communication session.

86. (New) The system according to claim 85 wherein the metering by volume method further includes metering on a per kilobyte basis, metering on a per packet basis or metering on a predetermined denomination basis.

87. (New) A method for determining a charge in connection with a data communication session, comprising:

installing a data rating application in a wireless device capable of communicating with a network; and

causing the data rating application to use a metering method and a rating method to determine the charge in connection with the data communication session.

88. (New) The method of claim 87 wherein the wireless device is a mobile phone.

89. (New) The method of claim 87 further comprising:
selecting the metering method from a plurality of metering methods.

90. (New) The method of claim 87 further comprising:
selecting the rating method from a plurality of rating methods.

91. (New) The method of claim 87 further comprising:
causing the data rating application to cooperate with an accounting application to update an account relating to the wireless device.

92. (New) The method of claim 91 wherein the accounting application resides in the wireless device.

93. (New) The method of claim 91 wherein the accounting application resides at a location external to the wireless device.

94. (New) The method of claim 87 further comprising:
prior to causing the data rating application to use the metering method and the rating method, causing the data rating application to select the metering method and the rating method upon detecting a set-up event which takes place during the course of setting up the data communication session;

wherein the set-up event is originated by either the network or the wireless device to indicate that the data communication session is to begin.

95. (New) The method of claim 87 further comprising:
causing the data rating application to begin determining the charge upon detecting a begin event which takes place during the course of the data communication session;

wherein the begin event is originated by either the network or the wireless device to indicate that the data communication session has begun.

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96. (New) The method of claim 87 further comprising:
causing the data rating application to end determining the charge upon
detecting an end event which takes place during the course of the data communication
session;

wherein the end event is originated by either the network or the wireless
device to indicate that the data communication session has ended.

97. (New) The method of claim 87 wherein the data rating application
resides in a smart card which is attachable to the wireless device.

98. (New) The method of claim 90, wherein the wireless device
includes a plurality of additional applications residing therein, further comprising:
selecting the rating method based on which one of the plurality of
additional applications residing in the wireless device will be using data received by the
wireless device during the data communication session.

99. (New) The method of claim 90 further comprising:
selecting the rating method based on usage of data received during the data
communication session.

100. (New) The method of claim 99, wherein the data received during
the data communication session is a downloaded application, further comprising:
determining the charge based on occurrence or duration of usage of the
downloaded application.

101. (New) The method of claim 90 further comprising:
selecting the rating method based on source of data received by the
wireless device during the data communication session.

102. (New) The method of claim 90 further comprising:
selecting the rating method based on service level selected for the data
communication session.

103. (New) The method of claim 102 wherein the service level selected relates to speed and/or accuracy of data transmission during the data communication session.

104. (New) The method of claim 90 further comprising:
selecting the rating method based on service level achieved during the data communication session.

94 105. (New) The method of claim 89 wherein the plurality of metering methods includes a metering by connection method; and
wherein the metering by connection method determines the charge in connection with the data communication session based on a connection for the data communication session being established.

106. (New) The method of claim 89 wherein the plurality of metering methods includes a metering by time method; and
wherein the metering by time method determines the charge in connection with the data communication session based on duration of the data communication session.

107. (New) The method of claim 89 wherein the plurality of metering methods includes a metering by volume method; and
wherein the metering by volume method determines the charge in connection with the data communication session based on volume of data transmitted and/or received by the wireless device during the data communication session.

108. (New) The method of claim 107 wherein the metering by volume method further includes metering on a per kilobyte basis, metering on a per packet basis or metering on a predetermined denomination basis.

109. (New) A method for determining a charge in connection with a data communication session, comprising:
installing a data rating application in a wireless device capable of communicating with a network; and

causing the data rating application to select a metering method from a plurality of metering methods;

causing the data rating application to select a rating method from a plurality of rating methods; and

determining the charge using the selected metering method and rating method.

94 110. (New) The method of claim 109 wherein the wireless device is a mobile phone.

111. (New) The method of claim 109 further comprising:
causing the data rating application to cooperate with an accounting application to update an account relating to the wireless device.

112. (New) The method of claim 111 wherein the accounting application resides in the wireless device.

113. (New) The method of claim 111 wherein the accounting application resides at a location external to the wireless device.

114. (New) The method of claim 109 further comprising:
prior to causing the data rating application to select the metering method and the rating method, detecting a set-up event which takes place during the course of setting up the data communication session;
wherein the set-up event is originated by either the network or the wireless device to indicate that the data communication session is to begin.

115. (New) The method of claim 109 further comprising:
detecting a begin event which takes place during the course of the data communication session to initiate determining the charge;
wherein the begin event is originated by either the network or the wireless device to indicate that the data communication session has begun.

116. (New) The method of claim 109 further comprising:
detecting an end event which takes place during the course of the data communication session to end determining the charge;

wherein the end event is originated by either the network or the wireless device to indicate that the data communication session has ended.

117. (New) The method of claim 109 wherein the data rating application resides in a smart card which is attachable to the wireless device.

118. (New) The method of claim 109 wherein the wireless device includes a plurality of additional applications residing therein, further comprising:

causing the data rating application to select the rating method from the plurality of rating methods based on which one of the plurality of additional applications residing in the wireless device will be using data received by the wireless device during the data communication session.

119. (New) The method of claim 109 further comprising:
causing the data rating application to select the rating method from the plurality of rating methods based on usage of data received during the data communication session.

120. (New) The method of claim 119, wherein the data received during the data communication session is a downloaded application, further comprising:
determining the charge based on occurrence or duration of usage of the downloaded application.

121. (New) The method of claim 109 further comprising:
causing the data rating application to select the rating method from the plurality of rating methods based on source of data received by the wireless device during the data communication session.

122. (New) The method of claim 109 further comprising:
causing the data rating application to select the rating method from the plurality of rating methods based on service level selected for the data communication session.

123. (New) The method of claim 122 wherein the service level selected relates to speed and/or accuracy of data transmission during the data communication session.

124. (New) The method of claim 109 further comprising:
causing the data rating application to select the rating method from the plurality of rating methods based on service level achieved during the data communication session.

125. (New) The method of claim 109 wherein the plurality of metering methods includes a metering by connection method; and
wherein the metering by connection method determines the charge in connection with the data communication session based on a connection for the data communication session being established.

126. (New) The method of claim 109 wherein the plurality of metering methods includes a metering by time method; and
wherein the metering by time method determines the charge in connection with the data communication session based on duration of the data communication session.

127. (New) The method of claim 109 wherein the plurality of metering methods includes a metering by volume method; and
wherein the metering by volume method determines the charge in connection with the data communication session based on volume of data transmitted and/or received by the wireless device during the data communication session.

128. (New) The method of claim 127 wherein the metering by volume method further includes metering on a per kilobyte basis, metering on a per packet basis or metering on a predetermined denomination basis.

REMARKS

Claim 1 has been canceled and claims 2-128 have been added for consideration. Amendments have been made to the specification for clarification purposes and it is believed that no new matter has been added.

Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned **“VERSION WITH MARKINGS TO SHOW CHANGES MADE.”**